

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

ZOOLOGICAL SOCIETY OF BUFFALO, INC.,

Plaintiff,

v.

ORDER
10-CV-035A

CARVEDROCK, LLC and
BURLINGTON INSURANCE COMPANY,

Defendants.

CARVEDROCK, LLC,

Defendant/third Party Plaintiff,

V.

DUANE WEBER INSURANCE, INC.,

Third-Party Defendant.

The above-referenced case was referred to Magistrate Judge H. Kenneth Schroeder, Jr., pursuant to 28 U.S.C. § 636(b)(1)(B). On October 12, 2011 , Magistrate Judge Schroeder filed a Report and Recommendation, recommending that third-party defendant Duane Weber Insurance's motion to dismiss the third-party complaint for lack of personal jurisdiction be granted.

The Court has carefully reviewed the Report and Recommendation, the record in this case, and the pleadings and materials submitted by the parties, and no objections having been timely filed, it is hereby

ORDERED, that pursuant to 28 U.S.C. § 636(b)(1), and for the reasons

set forth in Magistrate Judge Schroeder's Report and Recommendation, third-party defendant Duane Weber Insurance's motion to dismiss the third-party complaint for lack of personal jurisdiction is granted.

The case is referred back to Magistrate Judge Schroeder for further proceedings.

SO ORDERED.

s/ Richard J. Arcara

HONORABLE RICHARD J. ARCARA
UNITED STATES DISTRICT JUDGE

DATED: December 19, 2011